

**PURPOSE**

Reporting suspected abuse or neglect promotes the safety, health and welfare of minor youth and youth age 18 and older under the care and supervision of Michigan Department of Health and Human Services (MDHHS).

A juvenile justice specialist (JJS) who has reasonable cause to suspect abuse or neglect or exploitation must report all instances.

**DEFINITIONS**

See [APR 200, Mandated Reporter - Child](#) and [APR 201, Mandated Reporter - Adult](#).

**REPORTING  
REQUIREMENTS  
FOR SUSPECTED  
ABUSE/NEGLECT/EX  
PLOITATION**

See [APR 200, Mandated Reporter - Child](#) for reporting requirements and procedures.

See [APR 201, Mandated Reporter - Adult](#) for reporting requirements and procedures.

**ALLEGATIONS OF  
POLICE ABUSE**

Law enforcement is prohibited from violating constitutional protections against police misconduct which includes excessive force and sexual assault. 34 USC 12601. Law enforcement is also prohibited from depriving any person of rights. 18 USC 242. Law enforcement may not discriminate based on race, color, religion, national origin, or sex. 34 USC 10228(c),

If a youth under the care and supervision of MDHHS reports allegations of police abuse, the juvenile justice specialist must contact local law enforcement officials. When written or verbal allegations involve child sexual abuse or criminal sexual conduct, a copy of the allegations must also be sent to the prosecuting attorney. Youth are to be informed of whom the reports have been sent to and provide the option to contact the local FBI field office.

The youth may also mail a written copy of the complaint and materials submitted to the FBI to the Department of Justice:

US Department of Justice  
950 Pennsylvania Avenue, NW  
Civil Rights Division  
Criminal Section PHB  
Washington, DC 20530

## LEGAL BASE

### Federal

#### **34 USC 12601(a), Cause of action.**

It shall be unlawful for law enforcement with responsibility for the administration of juvenile justice to deprive persons of rights, privileges, or immunities secured or protected by the Constitution or laws of the United States.

#### **18 USC 242, Deprivation of rights under color of law.**

It is a crime for a person acting under color of any law to willfully deprive a person of a right or privilege protected by the Constitution or laws of the United States.

#### **42 USC 2000d, Prohibition against exclusion from participation in, denial of benefits of, and discrimination under federally assisted programs on ground of race, color, or national origin, et seq.**

No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

#### **34 USC 10228(c), Discrimination prohibited; notice of non-compliance; suspension and restoration of payments; hearing; civil action by Attorney General; private action, attorney fees, intervention by Attorney General**

No person in any State shall on the ground of race, color, religion, national origin, or sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under or denied employment in connection with any programs or activity funded in whole or in part with funds made available under this chapter.

**State****Child Protection Law, 1975 PA 238, MCL 722.623.**

Provides reporting requirements for **individuals who have reasonable cause to suspect abuse, neglect or exploitation of a child.**

**POLICY CONTACT**

Juvenile justice supervisors and management may submit policy clarification questions to [juvenile-justice-policy@michigan.gov](mailto:juvenile-justice-policy@michigan.gov).